

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CREDIT SUISSE SECURITIES (USA) LLC,

Petitioner,

-against-

GUY S. WALTMAN,

Respondent.

No. 06 Civ. 3841 (DLC)

ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: May 26, 2006

Upon (i) reading the motion by Order to Show Cause of Credit Suisse Securities (USA) LLC ("Credit Suisse") for preliminary injunctive relief (the "Credit Suisse Motion") against respondent Guy S. Waltman ("Waltman") filed on May 19, 2006, (ii) reading the motion of Waltman by Order to Show Cause for an order seeking to compel Credit Suisse to dismiss the proceeding that it commenced before JAMS and to arbitrate any claims that it has against Waltman before the National Association of Securities Dealers ("NASD") filed on May 22, 2006, ^{and} (iii) hearing the parties' oral arguments regarding the foregoing on May 22, 2006, *and (iv) considering their May 25 submissions,* including Credit Suisse's consent to the relief requested by Waltman, it is hereby:

ORDERED that the Credit Suisse Motion is denied *except to the extent granted herein,* and it is

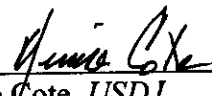
FURTHER ORDERED that Credit Suisse shall dismiss with prejudice the proceeding it commenced before JAMS and shall instead arbitrate any disputes with Waltman before the NASD; and it is

FURTHER ORDERED that, ~~although no finding has been made regarding the confidentiality of the materials that Waltman maintained at Credit Suisse that are still in Waltman's possession,~~ Waltman shall within one business day of notice of the entry of this Order deliver to Credit Suisse all documents and materials (whether in hard copy or electronic

form) that he is in possession of, or has access to by virtue of his ^{employment} ~~having had access to~~ it at Credit Suisse and destroy any copies thereof in his possession, with the sole exceptions of (a) documents that contain no information other than basic contact information for clients that Mr. Waltman solely and exclusively (*i.e.*, including those he serviced as the principal registered representative, but excluding those serviced in partnership with other registered representatives), serviced while employed by Credit Suisse and (b) Mr. Waltman's Blackberry device, which shall be submitted to a professional electronic evidence handler mutually acceptable to the parties for examination and erasure.

Dated: New York, New York
May 24, 2006

SO ORDERED:



Denise Cote, USDJ